

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:11-CR-337-BO

UNITED STATES OF AMERICA)
)
 v.)
)
KENNETH NORRIS SANDERS)

FINAL ORDER OF FORFEITURE

WHEREAS, on August 14, 2012, this Court entered a Preliminary Order of Forfeiture as to certain property pursuant to the provision of 21 U.S.C. § 853, based upon the defendant pleading guilty to 21 U.S.C. § 841, to wit:

One tract of real property, as more particularly described in a deed recorded at Deed Book 5460, Page 459 of the Cumberland County Registry, being titled in the names of Kenneth Sanders and wife, Betty Sanders, and having the street address of 6504 Sudbury Drive, Fayetteville, North Carolina, a 2000 Chevrolet Cavalier, VIN No. 1G1JC1240Y7454424, titled to Kendrick Norris, a Remington Model 870 12-gauge shotgun, and ammunition, and a Taurus .380 handgun and ammunition;

AND WHEREAS, the United States published notice of this forfeiture at the www.forfeiture.gov web site for at least 30 consecutive days, between July 26, 2013 and August 24, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions. Said

published notice advised all third parties of their right to petition the court within sixty (60) days from the first day of the publication date for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, the United States advises that it recognizes the interest of Betty Sanders, and the interest of Wells Fargo Bank, NA, but declines to seek the sale of the subject real property or any further action in respect to it;

AND WHEREAS, the United States advises that in respect to the personal property, it seeks a final order of forfeiture as to the Remington Model 870 12-gauge shotgun and ammunition, even though claimed by Betty Sanders. Mrs. Sanders advised the United States that she incorrectly petitioned for the shotgun rather than the Taurus .380 handgun and ammunition. The United States advises that it seeks the return of the Taurus .380 handgun and ammunition to Betty Sanders. As to the subject vehicle, the United States advises that the 2000 Chevrolet Cavalier, VIN No. 1G1JC1240Y7454424, titled to Kendrick Norris, was not seized by the United States and it is currently in the custody of Betty Sanders. Hence, the United States is not pursuing the 2000 Chevrolet Cavalier for forfeiture;

AND WHEREAS, it appears from the record that no other claims, contested or otherwise, have been filed for the property described in this Court's August 14, 2012 Preliminary Order of Forfeiture, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the Remington Model 870 12-gauge shotgun and accompanying ammunition, listed in the August 14, 2012 Preliminary Order of Forfeiture is hereby forfeited to the United States. That the United States Department of Justice is directed to dispose of the Remington Model 870 12-gauge shotgun and accompanying ammunition according to law.

2. That the Taurus .380 handgun and ammunition is to be released by the United States to Betty Sanders.

3. That the 2000 Chevrolet Cavalier, VIN No. 1G1JC1240Y7454424, titled to Kendrick Norris, was not seized by the United States and it is currently in the custody of Betty Sanders. Hence, it is released from this criminal forfeiture action.

4. That any and all forfeited funds shall be deposited by the United States Department of Justice as soon as located or recovered into the Department of Justice's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

The Clerk is hereby directed to send copies of this Order to all counsel of record.

SO ORDERED this 18 of day December, 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE